

February 9, 2015

The Honorable John Barker, Chairperson
House Committee on Judiciary
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Barker:

SUBJECT: Fiscal Note for HB 2106 by House Committee on Corrections and
Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2106 is respectfully submitted to your committee.

HB 2106 would make modifications to existing provisions of the Kansas Uniform Securities Act. The bill would clarify that no exemptions from the anti-fraud provisions contained in KSA 17-12a501 would exist and that certain exemptions under current law would not be available if the anti-fraud provisions are violated. Amounts that are obtained in violation of the act under one scheme or continuing course of business, whether from the same or several sources, the conduct may be considered as one continuing offense, and the amounts aggregated in determining the grade of the offense. If the crime under the act is a continuing offense, the statute of limitations would not begin to run until the last act in the scheme or course of business is completed.

The Office of Judicial Administration indicates that HB 2106 could result in the prosecution of additional cases, causing district and appellate court staff to spend additional time processing, researching, and hearing those cases. The additional cases could also increase in added docket fee revenue. However, it is not possible to predict the number of additional court cases that would arise or how complex and time-consuming they would be. Therefore, a precise fiscal effect cannot be determined.

The Office of the Securities Commissioner states that HB 2106 would have no fiscal effect on the Office. The Kansas Sentencing Commission notes that the bill would not have an effect on prison admissions, prison beds or the workload of the Commission.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Scott Schultz, Sentencing Commission
Mary Rinehart, Judiciary
Steve Wassom, Securities Commission